

REMARKS / ARGUMENTS

This communication is filed in response to the Office Action mailed October 1, 2007. Applicants, having fully considered the issues raised therein, request reconsideration of the application and claims. Applicants respectfully submit that, in view of the above amendments and the following remarks, the application is in condition for allowance. Withdrawal of the rejections and issuance of a Notice of Allowance is respectfully requested.

Applicants submit the above amendments do not introduce new matter, as support for the amendments may be found in the application and claims as originally filed. Additionally, the amendments do not raise new issues requiring additional search and/or examination, as support for each amendment may be found in the claims as originally filed and have been, therefore, the subject of a previous substantive search and examination. Specifically, support for the amendments to Claims 1 and 31 may be found at least at paragraphs [0020] and [0031] of the specification and Claims 13 and 14 as originally filed and support for the amendment to Claim 10 may be found at paragraph [0035] of the specification as originally filed.

Claims 1, 2, 4, 5, 7-12, and 15-31 are rejected under 35 U.S.C. § 112, first paragraph. Applicants respectfully traverse the rejection.

The Examiner states that the recitation that the release agent does not migrate to the surface of the thin-layer lignocellulosic composite during compression is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants submit the above amendments render the rejection moot and request withdrawal of the rejection.

The Examiner further rejected Claims 15 and 16 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse the amendment.

According to the Examiner, Claims 15 and 16 depend from cancelled claims. Applicants respectfully submit that Claims 15 and 16 have been amended to clarify dependency, rendering the rejection of the claims moot. Withdrawal of the rejection is, therefore, respectfully requested.

Applicants further submit that many release agents, including tall oil fatty acids and their salts, have a tendency to interfere with subsequent processing of thin-layer lignocellulosic composites. As taught at paragraph [0031] some release agents do interfere with subsequent processing. When release agents interfere with subsequent processing of thin-layer lignocellulosic composites, paints, glues, and stains may not adequately adhere or bond to the surface of the composite. Accordingly, a mere teaching that the use of a combination of release agents and wax would not render the present method obvious, because such a teaching does not recognize the non-obvious step of determining which release agents would be beneficial and which release agents would be detrimental to subsequent processing. For this reason, tall oil fatty acids would interfere with subsequent processing and would be detrimental if used in the present method. Withdrawal of the rejections is respectfully requested.

Applicants submit that in view of the above amendments and remarks the application is in condition for allowance. Withdrawal of the rejections and issuance of a Notice of Allowance is respectfully requested. If one or all of the claims are deemed to not be allowable, the Examiner is invited to call the undersigned attorney at the number given below for resolution of any remaining issues.


It is believed that no additional fees are due in conjunction with the filing of this response. If, however, it is deemed that additional fees are due, authorization is hereby give to deduct any such fees from Deposit Account No. 50-2548.

Respectfully requested,

NELSON MULLINS RILEY & SCARBOROUGH, LLP

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Date



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